

1 HONORABLE RONALD B. LEIGHTON  
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7 UNITED STATES DISTRICT COURT  
8 WESTERN DISTRICT OF WASHINGTON  
9 AT TACOMA

10 WILLIE BANKS SR,

11 Plaintiff,

12 v.

13 STEVEN WARNING,

Defendant.

CASE NO. C11-5708 RBL

ORDER

14 THIS MATTER comes on before the above-entitled court upon Plaintiff's Motion for  
15 Judicial Review [Dkt. #13] and Motion for Reconsideration and Motion for a Certificate of  
16 Appealability [Dkt. #14] of this Court's Order Adopting Report and Recommendation [Dkt.  
17 #12]. Having considered the entirety of the records and file herein, the Court finds and rules as  
18 follows:

19 Under Local Rule CR7(h) motions for reconsideration are disfavored and will ordinarily  
20 be denied absent "a showing of manifest error in the prior ruling or a showing of new facts or  
21 legal authority which could not have been brought to [the Court's] attention earlier with  
22 reasonable diligence." This standard has not been met in this case and the Court will not  
23 reconsider its prior ruling. Furthermore, plaintiff's request for a certificate of appealability is not  
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1 required as this case is not a habeas corpus case. Plaintiff's Motion for Reconsideration and  
2 Motion for a Certificate of Appealability [Dkt. #14] is **DENIED**.

3 Plaintiff's Motion for Judicial Review [Dkt. #13] merely is another attempt to reopen his  
4 closed case and, as such, is **DENIED**.

5 The Court will accept no further filings in this closed case except a Notice of Appeal.

6 **IT IS SO ORDERED.**

7 The Clerk shall send uncertified copies of this order to all counsel of record, and to any  
8 party appearing pro se.

9 Dated this 30<sup>th</sup> day of November, 2011.

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11 Ronald B. Leighton

12 RONALD B. LEIGHTON  
UNITED STATES DISTRICT JUDGE

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